

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re:

LeClairRyan, PLLC,¹

Debtor

Case No.

19-34574-KRH

Chapter

7

**ORDER RESOLVING BANKDIRECT CAPITAL FINANCE, LLC'S
MOTION FOR RELIEF FROM THE AUTOMATIC STAY
AND MOTION FOR EXPEDITED HEARING**

This matter coming before the Court on *BankDirect Capital Finance, LLC's Motion for Relief from the Automatic Stay and Motion for Expedited Hearing*, ECF No. 162(the "**Motion**"), filed by BankDirect Capital Finance, LLC ("**BankDirect**"), and upon the *Trustee's Objection to BankDirect Capital Finance, LLC's Motion for Relief from the Automatic Stay and Motion for Expedited Hearing* (the "**Trustee's Objection**")² filed by Lynn L. Tavenner, trustee, not individually but solely in her capacity as the chapter 7 trustee (in such capacity, the "**Chapter 7 Trustee**") of the bankruptcy estate (the "**Estate**") of LeClairRyan PLLC, the above-captioned debtor; the Court having reviewed the Motion, the Trustee's Objection, and the evidence tendered at the hearing on the Motion (the "**Hearing**"); and the Court having found that (a) the

¹ The principal address of the Debtor as of the petition date was 4405 Cox Road, Glen Allen, Virginia 23060, and the last four digits of the Debtor's federal tax identification number are 2451.

² Capitalized terms used but not otherwise defined herein shall have the meanings given to them in the Trustee's Objection.

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Counsel for Lynn L. Tavenner, Chapter 7 Trustee

Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; (b) this is a core proceeding pursuant to 28 U.S.C. § 157(b); (c) venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; (d) notice of the Motion and the Hearing was adequate under the circumstances; (e) the value of BankDirect's collateral as of the Petition Date was \$53,458.14; (f) the value of BankDirect's collateral as of the Conversion Date was \$39,130.30; and (g) the diminution in the value of BankDirect's collateral between the Petition Date and the Conversion Date was \$14,327.84; and it appearing that there is good cause to grant the relief requested as modified herein:

IT IS HEREBY ORDERED THAT:

1. The relief sought in the Motion is GRANTED in part and DENIED in part as provided herein.
2. BankDirect's request for relief from the automatic stay contained in the Motion is DENIED, without prejudice to BankDirect's right to pursue future additional relief from the automatic stay.
3. BankDirect's request for adequate protection is GRANTED as follows:
 - a. BankDirect is hereby granted an allowed Chapter 11 administrative expense claim in the amount of \$14,327.84, which amount shall not be paid immediately, but shall be paid pursuant to the provisions of the Bankruptcy Code or any procedures that the Court may approve in this case for the payment of Chapter 11 post-petition administrative expense claims (whichever would result in an earlier distribution); and
 - b. BankDirect is hereby granted an allowed Chapter 7 administrative expense claim in the amount of \$39,130.30, which claim shall be paid in three equal monthly installments of \$13,043.43 commencing January 6, 2020 and concluding on March 6, 2020.

4. This Court shall retain exclusive jurisdiction over any and all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

ENTERED: Dec 19 2019

/s/ Kevin R Huennekens

UNITED STATES BANKRUPTCY JUDGE

I ask for this:

Entered on Docket: Dec 20 2019

/s/ Paula S. Beran

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Seen and objected to for the reasons stated on the record:

/s/ Kevin J. Funk (Permission to affix signature received via email dated 12/16/2019)

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Local Rule 9022-1 Certification

I hereby certify that, pursuant to Local Rule 9022-1, the foregoing proposed *Final Order* has either been served upon and/or endorsed by all necessary parties.

/s/ Paula S. Beran

Counsel for Lynn L. Tavenner, Chapter 7 Trustee

Service List for Entered Order

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